

Yukikazu MORI, S.N. 09/459,202  
Page 20

Dkt. 2271/60882

RECEIVED  
CENTRAL FAX CENTER

JUN 05 2007

REMARKS

This application has been reviewed in light of the Office Action dated March 12, 2007.

Claims 1-34 were pending. By this Amendment, new dependent claim 35 has been added, and claim 21 has been amended to correct an informality therein. Support for new claim 35 may be found in, for example, pages 10-11 and page 13 of the application as filed. Accordingly, claims 1-35 are now pending, with claims 1, 9, 10, 22-24 and 26-28 being in independent form.

Claim 21 was objected to as having informalities.

By this Amendment, claim 21 has been amended to correct an informality therein.

Withdrawal of the objection to claim 21 is respectfully requested

Claims 1-25 and 31-34 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent 6,052,445 to Bashoura et al. in view of U.S. Patent 6,437,871 to Yuki and U.S. Patent 5,381,527 to Inniss et al. Claims 26-30 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over Bashoura in view of Inniss.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 9, 10, 22-24 and 26-28 are patentable over the cited art, for at least the following reasons.

The Office Action acknowledges that neither Bashoura nor Yuki disclose or suggest allowing the user sending the facsimile document to use input means to select any one of the plurality of communication modes available for communication with a designated destination, and then request that the image information for the facsimile document, obtained from the scanning of the document, be transmitted to the corresponding address of the designated destination through the selected communication mode, as provided by the subject matter of claim 1 of this application.

Yukikazu MORI, S.N. 09/459,202  
Page 21

Dkt. 2271/60882

It is contended in the Office Action (page 4) that the above described features would have been made obvious by modifying the proposals in Bashoura and Yuki "by providing a means whereby a user can transmit messages to a destination based on a selected priority order, as disclosed in Inniss."

Applicant respectfully disagrees.

Inniss, as understood by Applicant, proposes a system for distributing messages utilizing a process of automatically selecting a different distribution media and attempting transmission via a different distribution channel, and repeating this process until successful transmission is achieved.

Specifically, Inniss proposes that prior to message transmission, the user first prioritizes a plurality of available alternate distribution channels (and corresponding alternate distribution media) whereby in the event transmission via a selected alternate distribution channel having the highest priority fails to successfully transmit the message, the next distribution channel in the predetermined priority order will be used to attempt transmission.

Inniss, like Bashoura and Yuki, does not disclose or suggest allowing the user sending the facsimile document to use input means to select any one of the plurality of communication modes available for communication with a designated destination, and then request that the image information for the facsimile document, obtained from the scanning of the document, be transmitted to the corresponding address of the designated destination through the selected communication mode, as provided by the subject matter of claim 1 of this application.

Further, while the system proposed in Inniss allows the user to predetermine the order in which the system will automatically select alternate distribution channels (for all messages) in the event that a previously selected distribution channel fails to transmit the message, the user is

Yukikazu MORI, S.N. 09/459,202  
Page 22

Dkt. 2271/60882

unable to select the ultimate communication mode in which the designated image information is to be transmitted.

In contrast, the feature of allowing the user to select the ultimate communication mode from amongst a plurality of available communication modes, as discussed in the present application (for example, on page 13), is an important feature to users because an available communication mode may not be well suited to transmitting the particular document image information that the user intends to transmit.

In contrast, Inniss, as pointed out in the Summary section thereof, is motivated by automatic selection of alternate distribution media, without user selection.

Accordingly, one skilled in the art would not have been motivated by Inniss to modify the combination of Bashoura and Yuki in the manner suggested in the Office Action, to provide means for allowing the user to select any one of a plurality of communication modes, and to request that the image information be transmitted to the corresponding address of the designated destination through that particular user-selected communication mode.

Independent claims 9, 10, 22-24 and 26-28 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 9, 10, 22-24 and 26-28, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any


Yukikazu MORI, S.N. 09/459,202  
Page 23

Dkt. 2271/60882

fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

  
Paul Teng, Reg. No. 40,837  
Attorney for Applicant  
Cooper & Dunham LLP  
Tel.: (212) 278-0400